

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	RM-10586
)	DA 02-2732
A Proposal for Revising the MDS and ITFS)	
Regulatory Regime)	

COMMENTS OF NOKIA INC.

Nokia Inc. (“Nokia”) hereby submits comments in response to the Federal Communications Commission (“Commission”)’s Public Notice on “A Proposal for Revising the MDS and ITFS Regulatory Regime” (“Proposal”), submitted by the Wireless Communications Association International, Inc. (“WCA”), the National ITFS Association, and the Catholic Television Network (“Proponents”) on October 7, 2002, and released October 17, 2002.

Nokia is the world leader in mobile communications. Backed by its experience, innovation, user-friendliness and secure solutions, the company has become the leading supplier of mobile phones and a top supplier of mobile, fixed broadband and IP networks. Nokia is a broadly held company with listings on six major exchanges.

Nokia applauds the significant amount of work by the participants in the WCA’s Engineering Committee’s Technical Task Group who developed the proposed band plan. We believe that the Proposal is a positive step towards making this band a home for the advanced wireless services such as 3G that can meet consumer demand for mobile voice and data, as well as spur growth in the mobile wireless industry. Although the Commission recently released a Report and Order allocating 90 MHz of spectrum for advanced wireless services at 1710-1755 MHz paired with 2110-2155 MHz¹, an excellent first step towards providing the additional spectrum necessary for

¹ Amendment of Part 2 of the Commission’s Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems, and Amendment of the U.S. Table of Frequency Allocations to Designate the 2500-2520/2670-2690 MHz Frequency Bands for the Mobile-Satellite Service, *First Report and Order and Memorandum Opinion and Order*, ET Docket No. 00-258 (September 6, 2001).

advanced wireless services in the United States, additional spectrum beyond this amount will be needed. This Proposal may assist in reaching closer to that goal.

Moreover, migration of this band from fixed wireless services to advanced mobile services will place this band in line with planned international allocations. At the World Radiocommunications Conference-2000 (WRC-2000), the 2500-2690 MHz band was identified for use by International Mobile Telecommunications-2000 ("IMT-2000"). Nokia believes that a fundamental principle of spectrum management should be to globally harmonize allocated spectrum to the greatest extent possible. Globally harmonized spectrum helps reduce the cost and complexity of equipment by creating economies of scale and helps to facilitate a global market for services. ITU-R Working Party 8F ("ITU-R WP8F") is working towards developing a detailed global band plan for the 2500-2690 MHz band with work to start in 2003 and finish in 2004. Additionally, within Europe (CEPT) a 'Decision' has been drafted that identifies these bands to be made available by 2008 at the latest, with some countries having the ability to make this available earlier if they choose. CEPT is also planning to produce detailed frequency arrangements for this band that are consistent with the frequency arrangements and timescales of ITU-R WP8F. Nokia encourages the Commission to work closely with other administrations such as CEPT and international bodies such as ITU-R WP8F to ensure that any new band plan for these frequencies does not create a unique or national only band plan and is as globally common as possible.

In previous proceedings, Nokia has stated that flexibility can help facilitate the goal of efficient use of spectrum. We applaud FCC market-based policies such as the flexible service rules currently in use for CMRS services. However, Nokia also cautioned that retroactive granting of flexibility to incumbents can create a variety of problems, including placing existing commercial providers at a competitive disadvantage, undermining the principle that the entity that values the spectrum most will pay accordingly, and creating interference and spectrum efficiency problems by crowding dissimilar services into the same of adjacent bands, requiring additional guardbands.² We continue to believe that this general principle is a good one to follow,

However, Nokia believes that the Proposal represents a good effort to make better and more efficient use of this band by introducing advanced wireless services while attempting to minimize interference. There are many positive elements to this Proposal that facilitate the introduction of flexibility in this band. Nokia supports the implementation of service rules that are sufficiently flexible to facilitate innovation by equipment manufacturers

and choice by operators. However, we urge the Commission to seek further information, including following the work being conducted in international organizations, on any TDD/FDD adjacent interference issues and their implications for permitting either FDD or TDD technologies in the “Lower Band” or “Upper Band” segments of the proposed band plan. Resolving these issues will help ensure that this spectrum is used as efficiently as possible.

Again, Nokia applauds the significant work by the Proponents to develop a Proposal to make more efficient use of this band and introduce advanced wireless services into a band that has been globally identified for this purpose. This is an excellent step towards supporting the growth of and meeting rising consumer demand for advanced wireless services.

² Nokia Comments, Spectrum Policy Task Force, ET Docket No. 02-135, p.2.